

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

EDDIE JAMES DAVIS, JR.

PETITIONER

v.

CIVIL ACTION NO. 3:15cv387-DPJ-FKB

SHERIFF BILLY SOLLIE

RESPONDENT

ORDER

This habeas corpus petition is before the Court on the Report and Recommendation of Magistrate Judge F. Keith Ball [21]. In his petition, Eddie James Davis, Jr., a pretrial detainee, alleged that he was being improperly detained because he had been held more than 270 days without being brought to trial. Judge Ball obtained official records from the Circuit Court of Lauderdale County that indicate that Davis entered a guilty plea and was committed to the custody of the Mississippi Department of Corrections on October 26, 2015. Judge Ball's Report and Recommendation therefore recommended that Davis's petition be dismissed as moot. A entry on this Court's docket shows that the copy of the Report and Recommendation mailed to Davis at the address he provided at the Lauderdale County Detention Facility was returned to the Court as undeliverable.

In light of the foregoing, the Court concludes that Davis's petition is moot and subject to dismissal. Accordingly, the Court, having fully reviewed the Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge F. Keith Ball be, and the same is hereby, adopted as the finding of this Court.

Davis's petition is dismissed with prejudice as moot. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 1st day of June, 2016.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE